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Attorneys for Nominal Defendant  
MCKESSON CORPORATION

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

JEAN E. HENRY, individually and  
derivatively on behalf of MCKESSON  
CORPORATION,

Plaintiff,

vs.

BRIAN J. TYLER, JAMES BEER, EDWARD  
A. MUELLER, N. ANTHONY COLES, M.  
CHRISTINE JACOBS, DONALD R.  
KNAUSS, MARIE L. KNOWLES, SUSAN R.  
SALKA, JOHN H. HAMMERGREN,  
WAYNE A. BUDD, ANDY D. BRYANT,  
ALTON F. IRBY, III, and DAVID M.  
LAWRENCE,

Defendants,

MCKESSON CORPORATION, a Delaware  
Corporation,

Nominal Defendant.

Case No.: 19-cv-02869

**NOTICE OF REMOVAL OF ACTION  
UNDER 28 U.S.C. SECTIONS 1332, 1441  
AND 1446**

[San Francisco Superior Court Case No.  
CGC-19-576119]

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Nominal Defendant McKesson Corporation (“McKesson”), a Delaware Corporation, through undersigned counsel, hereby removes this action from the Superior Court of the State of California, County of San Francisco, to the United States District Court for the Northern District of California. In support of this Notice of Removal, McKesson states the following:

1. This case was filed in San Francisco County Superior Court, State of California, on May 21, 2019, under the caption Jean E. Henry, individually and derivatively on behalf of McKesson Corporation v. Brian J. Tyler et al., Case No. CGC-19-576119. This complaint was lodged under seal and a redacted copy was filed in the public record. A true and correct copy of the redacted complaint is attached as Exhibit A. McKesson will promptly file an administrative motion to maintain the complaint under seal or submit an unredacted version of the complaint.

2. The defendants in this case are Brian J. Tyler, James Beer, Edward A. Mueller, N. Anthony Coles, M. Christine Jacobs, Donald R. Knauss, Marie L. Knowles, Susan R. Salka, John H. Hammergren, Wayne A. Budd, Andy D. Bryant, Alton F. Irby III, and David M. Lawrence. McKesson Corporation is named as a nominal defendant. The citizenship of the defendants is as follows:

- Defendants Tyler and Mueller are citizens of Arizona, and were so at the time this action was initiated.
- Defendants Knauss and Salka are citizens of Texas, and were so at the time this action was initiated.
- Defendants Coles and Budd are citizens of Massachusetts, and were so at the time this action was initiated.
- Defendant Jacobs is a citizen of South Carolina, and was so at the time this action was initiated.
- Defendants Beer, Knowles, Bryant, Irby, and Lawrence are citizens of California, and were so at the time this action was initiated.
- Defendant Hammergren is a citizen of New Hampshire., and was so at the time this action was initiated.

- Nominal Defendant McKesson Corporation is a Delaware corporation with its principal place of business in Texas, as Plaintiff acknowledges in her complaint. *See* Ex. A at ¶ 16. McKesson is therefore a citizen of both Delaware and Texas, and was so at the time this action was initiated. McKesson is aligned as a defendant for purposes of 28 U.S.C. §§ 1332 and 1441.

3. To date, the Complaint has not been served on any defendant. All defendants nevertheless consent to the removal of this action to federal court.

4. Now and at the time this action was initiated, plaintiff Jean E. Henry was (and is) a citizen of Colorado.

5. This Court has original subject matter jurisdiction over the entire action under 28 U.S.C. § 1332 because the amount in controversy exceeds \$75,000. This is demonstrated by, among other things, paragraph 7 of the complaint, which alleges that defendants sold “hundreds of millions of dollars’ worth of stock at artificially inflated prices,” and Plaintiff’s Prayer for Relief, in which plaintiff seeks an order of this Court disgorging all profits gained as a result of the purportedly improper conduct.

6. This Notice of Removal is filed timely within the 30-day period prescribed by 28 U.S.C. section 1446(b).

7. As required by 28 U.S.C. § 1446(d), McKesson will provide written notice of the filing of this Notice of Removal to Christopher D. Sullivan, counsel of record for plaintiff. In addition, McKesson will promptly file a copy of this Notice of Removal and the Notice to Adverse Party of Removal of Action to Federal Court with the Clerk of the Superior Court of the State of California in and for San Francisco County. A copy of the Notice to Adverse Party of Removal of Action to Federal Court is attached hereto as Exhibit B.”

Wherefore, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, McKesson hereby removes this case from the Superior Court of the State of California in and for San Francisco County, to the United States District Court for the Northern District of California.

McKesson hereby reserves, and does not waive, any objection it may have to service,  
jurisdiction or venue, and any and all other defenses or objections to the action.

Dated: May 23, 2019

Respectfully submitted,

SIDLEY AUSTIN LLP

By: /s/ Jaime A. Bartlett

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